

**STATE OF WASHINGTON  
DEPARTMENT OF FINANCIAL INSTITUTIONS  
CONSUMER SERVICES DIVISION**

IN THE MATTER OF DETERMINING  
Whether there has been a violation of the  
Mortgage Broker Practices Act of Washington by:

Affordable Terms Mortgage/ATM/Loan One  
Respondent.

NO. C-04-021-04-SC01

FINAL ORDER

**I. DIRECTOR'S CONSIDERATION**

A. Default. This matter has come before the Director of the Department of Financial Institutions of the State of Washington (Director) pursuant to RCW 34.05.440(1). On March 9, 2004, the Director through her designee Consumer Services Division Director and Enforcement Chief Chuck Cross, entered a Statement of Charges and Notice of Intent to Revoke License, Impose Fines, and Prohibit From Participation in the Mortgage Broker Industry (Statement of Charges). A copy of the Statement of Charges is attached and incorporated into this order by this reference. The Statement of Charges was accompanied by a cover letter dated May 13, 2004, a Notice of Opportunity to Defend and Opportunity for Hearing, and blank Applications for Adjudicative Hearing for Affordable Terms Mortgage and Cameron Parkes, the owner and designated broker. The Department of Financial Institutions of the State of Washington (Department) served the Statement of Charges, cover letter dated May 13, 2004, Notice of Opportunity to Defend and Opportunity for Hearing, and blank Applications for Adjudicative Hearing for Affordable Terms Mortgage and Cameron Parkes on Respondent Parkes by certified mail on June 5, 2004. Respondent Parkes responded to the Statement of Charges and a Consent Order was negotiated with him individually. Due to the fact that Respondent Parkes had sold Affordable Terms Mortgage to a Robert Christiansen on July 1, 2000, the Department served the Statement of Charges, Notice of

1 Opportunity for Hearing and the Application for Adjudicative Hearing on the new owner of Affordable  
2 Terms Mortgage, Robert Christiansen, by Federal Express on June 22, 2004, along with a cover letter  
3 dated June 17, 2004, explaining the circumstance of the service upon him. Robert Christiansen failed to  
4 request an adjudicative hearing within twenty days after service as required by Department rule WAC  
5 208-08-050.

6 B. Record Presented. The record presented to the Director for her review and for entry of a  
7 final decision included the Statement of Charges, cover letters dated May 13, 2004 and June 17, 2004,  
8 Notice of Opportunity to Defend and Opportunity for Hearing, blank Applications for Adjudicative Hearing  
9 for Affordable Terms Mortgage and Cameron Parkes, and documentation of service on Affordable Terms  
10 Mortgage.  
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12 C. Factual Findings and Grounds For Order. Pursuant to RCW 34.05.440(1), the Director  
13 hereby adopts the Statement of Charges, which is attached hereto.

## 14 II. FINAL ORDER

15 Based upon the foregoing, and the Director having considered the record and being  
16 otherwise fully advised,

17 NOW, THEREFORE:

18 A. IT IS HEREBY ORDERED, That:

19 The mortgage broker license held by Respondent Affordable Terms Mortgage/ATM/Loan One be revoked, and

20 Respondent must pay the annual assessments due, in the amount of \$1575.76; and

21 Respondent must pay an examination fee of \$286.68, calculated at \$47.78 per hour for each staff hour devoted to  
22 the investigation (6 hours).

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2 B. Reconsideration. Pursuant to RCW 34.05.470, Respondent has the right to file a Petition for  
3 Reconsideration stating the specific grounds upon which relief is requested. The Petition must be filed in the  
4 Office of the Director of the Department of Financial Institutions by courier at 150 Israel Road SW,  
5 Tumwater, Washington 98501, or by U.S. Mail at P.O. Box 41200, Olympia, Washington 98504-1200,  
6 within ten (10) days of service of the Final Order upon Respondent. The Petition for Reconsideration shall  
7 not stay the effectiveness of this order nor is a Petition for Reconsideration a prerequisite for seeking judicial  
8 review in this matter.

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10 A timely Petition for Reconsideration is deemed denied if, within twenty (20) days from the date the  
11 petition is filed, the agency does not (a) dispose of the petition or (b) serve the parties with a written notice  
12 specifying the date by which it will act on a petition.

13 C. Stay of Order. The Director has determined not to consider a Petition to Stay the  
14 effectiveness of this order. Any such requests should be made in connection with a Petition for Judicial  
15 Review made under chapter 34.05 RCW and RCW 34.05.550.

16 D. Judicial Review. Respondent has the right to petition the superior court for judicial  
17 review of this agency action under the provisions of chapter 34.05 RCW. For the requirements for filing a  
18 Petition for Judicial Review, see RCW 34.050.510 and sections following.

19 E. Service. For purposes of filing a Petition for Reconsideration or a Petition for Judicial  
20 Review, service is effective upon deposit of this order in the U.S. mail, declaration of service attached hereto.

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23 DATED this 22<sup>nd</sup> day of September 2004.

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STATE OF WASHINGTON  
DEPARTMENT OF FINANCIAL INSTITUTIONS

/s/ \_\_\_\_\_  
Helen P. Howell  
Director